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# WISCONSIN EDUCATION ASSOCIATION COUNCIL

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**Testimony of Chris Perillo, President  
Kenosha Education Association  
Assembly Committee on Labor  
AB 95  
April 8, 2009**

Greetings members of the Assembly Labor Committee. My name is Chris Perillo and I am the President of the Kenosha Education Association. I have taught high school science for eight years in Kenosha Unified School District at Indian Trail Academy. I want to thank you for the opportunity to speak to the committee about Assembly Bill 95 which makes educator preparation time a mandatory subject of collective bargaining.

During my terms as KEA President, I have had the opportunity to visit every one of the 43 schools in Kenosha Unified School District five or more times. During my visits to these buildings prep time and prep time concerns are a frequent topic of conversation. There is concern that expectations are growing for teachers to perform tasks that take significant time outside their classrooms. Without prep time as a mandatory subject of bargaining, teachers are left in the unenviable position of having to choose what gets completed and what does not.

Preparation time is extremely important to teachers at the elementary, middle, and high school levels. There is no secret here, prep time most simply put, is time that teachers use to prepare for the classes they teach. This time is used for creating lesson plans, setting up classroom activities and lessons, grading papers, creating alternative assignments and lessons for students with special needs, filling out report cards, calling parents, emailing parents, writing letters to parents, writing letters of recommendation for students, following up on disciplinary concerns, entering grade and attendance data into computers, meeting with counselors about student concerns, meeting with special education teachers about student concerns, meeting with gifted programming consultants about student concerns, meeting with colleagues about lesson coordination and shared student concerns, meeting with physical and speech therapists about student concerns, meeting with the principal, planning field trips, recruiting parent volunteers, contacting and planning guest speakers, reading and responding to

Mary Bell, President  
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school and district email and phone calls, designing and planning student academic interventions, designing and planning student behavioral interventions, and using the restroom.

Without prep time as a mandatory subject of bargaining, a teacher may not even have time to make a list like this of things to do, let alone use the restroom, from the time they arrive at school in the morning until lunch. Frequently, prep time is lost as teachers are required to cover other classrooms for teachers when substitutes are not available, or when covering for principals who are out of the building.

Making prep time a mandatory subject of bargaining gives teachers and districts the opportunity to engage in negotiations about the time teachers need to complete tasks that are paramount for effective teaching. This is an important working condition of teaching; particularly, as out-of-classroom expectations grow. Teachers who are most successful in the classroom are ones who have time to plan and organize lessons for students. Prep time helps teachers improve their craft and student results.

Thank you for your time this morning and I hope that you make prep time a mandatory subject of bargaining. This is the right choice for teachers in Wisconsin and the right choice for the children and families they serve.

Thanks.

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**Testimony by Kim Schroeder, 4<sup>th</sup> grade teacher, Sherman Multi-  
Cultural Arts School  
Milwaukee Public Schools  
Assembly Committee on Labor  
AB 95  
April 8, 2009**

Thank you for allowing me to testify today in support of Assembly Bill 95, which would make preparation time a mandatory subject of bargaining. My name is Kim Schroeder, and I teach fourth grade in the Milwaukee Public Schools. I have been teaching for fourteen years now, all in the fourth grade, and, believe it or not, all in the same school and even the same classroom.

Since prep time is not currently a mandatory subject of bargaining and is not contractually provided for elementary teachers in my district, I have had a variety of experiences with different amounts of prep time. There have been some years in which I have had almost 40 minutes a day provided for prep (mostly occurring a number of years ago, which I have begun thinking of as the "good old days") as well as years in which I have had 30 minutes a week for planning. In fact, for most of last school year and a good portion of this school year, the latter has been the case. Unfortunately, as I have talked to other teachers around the district, this is not the exception, but rather the norm.

As public school teachers, very high standards and expectations are placed upon us – which can be a good thing. To attempt to meet these demands, in our district, and specifically the school I am at, we are attempting to use data to drive our teaching and really put focus on teaching high level thinking skills for our students. An example of this might be instead of just giving a problem and asking what the answer is, to continue on and ask the thought process of why this is the answer and looking at alternative ways to find solutions. The problem is that lessons that are built around higher level learning take more time to build and plan, if they are going to be of quality. Adding to this, since an elementary teacher is going to have to plan for about six lessons per day, time becomes very much of an issue.

Now back to the data for a bit. With all of the federal, state, district, and classroom assessments that exist, we have data up to our ears. The problem is not the lack of data, but the time needed to filter through it, understand it, and then come up with a plan to make use of it effectively. It is near impossible to do that without any prep time. Would anyone want a hospital to get the newest and most advanced diagnostic tests and equipment, and then go and have the doctors see patients straight through the work day without ever having a chance to look at any of the results, except for the few

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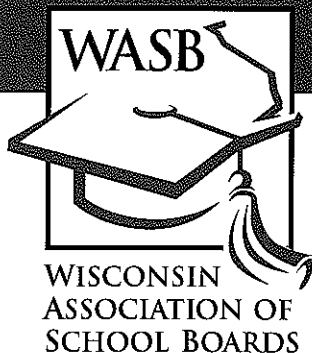
minutes they are in with the patient? I don't know about you, but I think that I would want my doctor to have some time to digest the info he or she has received and be able to make a well-thought out diagnosis. Our students deserve the same time being devoted to them.

It is simply absurd to expect a professional to be completely successful at anything without having adequate time to prepare. And just so there is no mistake, the preparation is not really in the area of content for elementary teachers (a fraction is going to remain a fraction no matter how many years you teach it), but instead in how the content is best delivered to the students to ensure the best learning takes place. Every class, every year is a bit different and has its own personality. This means that, using the fraction example a little bit more, some classes may be more hands on oriented, some may learn best through pictures, some will do better with equations, etc. Also, of course, there are many different learning styles within each classroom as well. So you can see that having some prep time to actually set up effective lessons would be a great help to teachers, as well as a benefit to their students.

I would like to again thank you for having this hearing about making prep time a mandatory subject of bargaining. Just having the right to have this conversation with administration during a bargain would be a huge step forward. When I told my staff where I would be today, every single one that I talked to was extremely excited that this bill even exists and are hopeful that it will become law.

On behalf of the public school teachers I urge you to please support Assembly Bill 95.

Thank you.



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JOHN H. ASHLEY, EXECUTIVE DIRECTOR

TO: Members, Assembly Committee on Labor  
FROM: Dan Rossmiller, WASB Government Relations Director  
DATE: April 8, 2009  
RE: **Assembly Bill 95**, relating to teacher preparation time as a mandatory subject of collective bargaining.

The Wisconsin Association of School Boards (WASB) strongly **opposes** Assembly Bill 95, which would convert issues primarily related to *educational policy and management* into new a mandatory collective bargaining right for teachers. There is a strong potential that the new mandate created by this bill will result in limiting educational opportunities for students and increasing class sizes and less individualized attention for students.

Assembly Bill 95 would force school districts to bargain collectively with respect to the amount of time for preparation (also called "prep time")—a period or periods during the school day when a teacher does not have assigned teaching responsibility.

Time for preparation is time—apart from pupil contact time—during the school day when teachers have no specific assigned duties. A teacher may use that time for planning or may use the time as a break if he or she chooses to do preparation tasks at times other than prep time. Ideally, all teachers would use that time to prepare lessons or educational materials, or confer or collaborate with other staff or complete administrative duties. This bill, however, by itself, provides no guarantee that teachers will do those things during their prep time.

If it passes AB 95, the Legislature will give teachers the right to bargain **not** to teach during the school day. By implication, letting teachers bargain over how much time they spend not teaching also lets teachers bargain over how much time they spend actually teaching. This bill would have the practical effect of requiring districts to bargain collectively over how **any time** is spent during the school day. There is a strong potential for such a mandate to be costly for school districts, limit educational opportunities for students and increase class sizes.

Under revenue limits, school districts have a limited amount of resources. If teachers teach fewer hours during the work day in order to devote more hours during the work day for preparation, something has to give. The most likely result will be larger classes during the hours the teachers do teach.

Given the current fiscal situation facing most Wisconsin school districts, school boards are not in a position to hire more teachers or staff in order to provide additional time for preparation. The main factor jeopardizing time for preparation is the impact of revenue limits and the staff and program cuts those revenue limits are forcing school districts to make.

If the Legislature enacts Assembly Bill 95 and makes preparation time a mandatory subject of bargaining, one additional effect could be to make the amount of preparation time subject to binding interest arbitration. This means that if a bargaining impasse is reached, and the parties seek binding arbitration, an arbitrator will choose one party's final offer, and its provisions regarding the amount of time for preparation.

The ultimate decision for a school district's contract will rest with an unelected arbitrator, an expert in contract negotiations, not education. This arbitrator, who most often is someone with no connection to the district, will make decisions on time for preparation that will have wide ranging impacts on the use of school facilities, class sizes, class offerings, the ability of administrators to schedule meetings to discuss individualized education plans (or IEPs) for special education students or to work on curriculum improvements.

With revenue limits in place, school boards cannot hire more teachers. If the arbitrator increases the amount of time for preparation each teacher is given, this reduces the teaching load of the existing staff. School boards unable to afford to hire more teachers will have little or no option but to increase class sizes, reduce program offerings, eliminate enrichment opportunities, delay maintenance and make other cuts if an arbitrator enforces a requirement for more time for preparation than the school board can afford.

The Wisconsin Employment Relations Commission and our state's courts, including the Wisconsin Supreme Court, have consistently held that school boards are not required to negotiate over issues that are primarily related to *educational policy and management*, including time for preparation. School boards *do*, however, have a duty to bargain over the impact that any of their decisions concerning educational policy or management, including preparation time, have on employees' wages, hours and conditions of employment. That is a clear and sound legal distinction that historically has worked well.

The collective bargaining system is not broken. It is the way we fund schools that is broken. The school children of this state would be better served if the Legislature spent its time fixing the way our state funds schools rather than changing bargaining laws and creating unintended consequences for educational policy.

The importance of time for preparation is not in dispute. Attempts to improve instruction in Wisconsin's public K-12 schools are laudable. However, school boards need more flexibility, not less, to meet the challenges presented by the current fiscal environment. Requiring school boards to negotiate over the actual amount of preparation time will not accomplish this goal.

Locally elected school boards are in the best position to balance the needs of their teachers as they relate to time for preparation with the needs of their students as they relate to class sizes and curriculum offerings. To accomplish that school boards need both flexibility and adequate funding. This bill provides neither.

Please oppose Assembly Bill 95. Thank you.